

**REMARKS**

Claims 1-53 were originally presented for consideration in this application. Claims 1, 2, 4, 6-9, 29, 30, 37-41, 44, 46, 49, 52 and 53 were elected, with traverse, in response to a restriction requirement.

Please note that a couple of errors have been made with regard to the claims elected and being considered in the application. It appears that claim 51 has been considered in the Office Action, even though this claim was not elected. In addition, the elected claim 4 is dependent from claim 3 (which was not elected). Thus, the applicants respectfully submit that the claims which should properly be considered in the present application are claims 1, 2, 6-9, 29, 30, 37-41, 44, 46, 49, 52 and 53.

The following rejections were set forth in the Office Action:

1. Claims 1, 2, 4, 6-9, 29, 30, 37-41, 44, 46 and 51-53 stand rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 5,788,263 to VanDenberg; and
2. Claim 49 stands rejected under 35 USC §103 as being unpatentable over VanDenberg.

The applicants respectfully traverse each of these claim rejections. The VanDenberg reference does not disclose all of the features recited in the claims. Furthermore, the VanDenberg reference does not render any of the claims obvious. Accordingly, the examiner is respectfully requested to withdraw the claim rejections.

Regarding the anticipation rejection of claim 1, this claim recites that a beam body made of a composite material has a metal end connection at one of its opposite

ends. For example, in an embodiment described in the specification, a sleeve 38 for a pivot bushing 20 is secured at one end of a composite beam 152 (see FIG. 11). There is no disclosure in VanDenberg of such a metal end connection at one end of a composite beam. VanDenberg does describe a bushing sleeve 30, but does not mention of what material the sleeve is made.

Furthermore, VanDenberg teaches away from the use of conventional pivot bushings (see col. 3, lines 23-30, 40 and 41), and so it cannot be assumed that VanDenberg would use any particular type of conventional materials in the pivot end connection. Perhaps, in the interest of saving weight, reducing manufacturing cost, etc., VanDenberg would use a composite material instead of metal to make the bushing sleeve 30. In any event, VanDenberg does not disclose the combination of elements and limitations recited in claim 1, and so the examiner is respectfully requested to withdraw the rejections of claim 1 and its dependents.

Regarding the anticipation rejections of claims 4, 40 and 53, these claims recite in one form or another that the axle is made of a composite material. VanDenberg does not disclose an axle made of a composite material. VanDenberg does describe the axle 19, but apparently it is made of metal, since its modulus of elasticity is given as  $28 \times 10^6$  psi to  $30 \times 10^6$  psi (see col. 6, lines 12 and 13), which is common for metals.

VanDenberg also describes a composite stabilizer bar 72 (see FIGS. 11 & 12), but a stabilizer bar is not an axle (for example, a stabilizer bar does not have wheel assemblies mounted on its ends). In addition, the stabilizer bar 72 is not described as being used in the suspension system 10 which the examiner identifies as anticipating the claims. Thus, VanDenberg does not disclose the combination of elements and limitations recited in claims 4, 40 and 53, and so the examiner is respectfully requested to withdraw the rejections of these claims.

Regarding the anticipation rejections of claims 8, 29 and 46, these claims recite in one form or another an I-beam shape of the beam body. VanDenberg does not

disclose such a beam shape. Instead, VanDenberg describes his beam 15 as having top and bottom walls 34, 35 and side walls 36 (see col. 5, lines 58-60 and col. 6, lines 53-59). One might be misled by not recognizing at first that the drawing figures of VanDenberg show the beam 15 in cross-section. The beam 15 has a rectangular box shape (formed by the top, bottom and side walls 34, 35, 36 and not an I-beam shape. Thus, VanDenberg does not disclose the combination of elements and limitations recited in claims 8, 29 and 46, and so the examiner is respectfully requested to withdraw the rejections of these claims and their dependents.

Regarding the anticipation rejections of claims 9 and 44, these claims recite in one form or another that there is a greater density of fibers in the flanges of the beam body. As discussed above, VanDenberg does not disclose an I-beam shaped beam body. VanDenberg also does not disclose any flanges of a beam body having a greater density of fibers than a web of the beam body. Thus, VanDenberg does not disclose the combination of elements and limitations recited in claims 9 and 44, and so the examiner is respectfully requested to withdraw the rejections of these claims.

Regarding the anticipation rejection of claim 38, this claim recites a direct attachment between the axle and the web of the beam body. As discussed above, VanDenberg does not disclose an I-beam shaped beam body having a web. In addition, VanDenberg does not disclose direct attachment between such a web and an axle. Instead, VanDenberg describes attachment of his top and bottom walls 34, 35 to the axle 19. Thus, VanDenberg does not disclose the combination of elements and limitations recited in claim 38, and so the examiner is respectfully requested to withdraw the rejection of this claim.

Regarding the obviousness rejection of claim 49, this claim recites that at least one of the axle and frame end connections is made of metal. As discussed above with regard to claim 1, VanDenberg does not disclose a metal end connection. The examiner

seems to acknowledge this in the obviousness rejection of claim 49, otherwise this would be an anticipation rejection.

Clearly, VanDenberg does not suggest or motivate a person skilled in the art to use a metal end connection on the beam 15. Instead, VanDenberg teaches away from the use of conventional end connections (see col. 3, lines 23-30, 40 and 41, mentioned above with regard to claim 1). VanDenberg also stresses the need for a low modulus of elasticity at the end connections (e.g., col. 3, lines 46-50 and 60-64, and col. 6, lines 9-14). In contrast, metals typically have relatively high moduli of elasticity. Thus, in this additional way, VanDenberg teaches away from the use of metal end connections.

Furthermore, VanDenberg stresses the need for allowing the axle to deflect and assume an out-of-round shape at the beam axle connection (e.g., see col. 6, lines 14-18). A metal axle connection, with its higher modulus of elasticity, would function to reduce this deflection of the axle, thereby countervailing VanDenberg's stated object of his end connection. Therefore, in yet another manner, VanDenberg teaches away from the use of a metal end connection.

Since VanDenberg does not suggest or motivate a person skilled in the art to use a metal beam end connection, but instead teaches away from the use of metal end connections in multiple ways, VanDenberg does not render claim 49 obvious. Accordingly, the examiner is respectfully requested to withdraw this rejection of claim 49.

In view of the foregoing amendment and remarks, all of the claims pending and being considered in this application are now seen to be in a condition for allowance. A Notice of Allowance of at least claims 1, 2, 6-9, 29, 30, 37-41, 44, 46, 49, 52 and 53 is therefore earnestly solicited. In addition, all of the claims dependent from these claims, but formerly restricted out of the present application, should also be allowed.

The examiner is hereby requested to telephone the undersigned attorney of record at (972) 516-0030 if such would expedite the prosecution of the application.

Respectfully submitted,

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